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8 UNITED STATES DISTRICT COURT
9 SOUTHERN DISTRICT OF CALIFORNIA
10 SAN DIEGO DIVISION
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12 WEIN- UND SEKTKELLEREI JAKOB
13 GERHARDT NIERSTEINER
14 SCHLOSSKELLEREIEN GmbH & Co. KG, a
German limited liability company and
15 MAX DIETER ALTMANN, an individual,

16 Plaintiffs,

17 v.

18 FONDA HOPKINS, an individual, and
19 FRANK KRYGER, an individual,

20 Defendants.
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Case No. 3:07-cv-00673-BTM-WMC

**ORDER GRANTING PLAINTIFFS' *EX*
PARTE APPLICATION TO CONTINUE
THE HEARING DATE OF
DEFENDANTS' MOTION TO REQUIRE
PLAINTIFFS TO POST SECURITY**

22 The ex parte application of Plaintiffs Wein-und Sektkellerei Jakob Gerhardt Niersteiner
23 Schlosskellereien GmbH & Co. KG and Max Dieter Altmann ("Jakob Gerhardt") for an order to
24 continue the hearing date of Defendants Fonda Hopkins and Frank Kryger's ("Defendants")
25 motion to require Plaintiffs to post security, and Defendants' opposition thereto, were submitted
26 and fully considered by the Court.

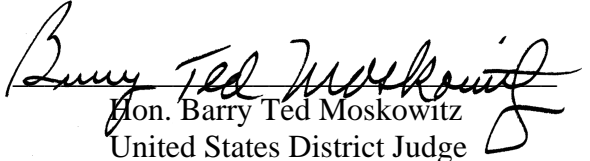
27 The extension of time requested by Plaintiffs is reasonable given trial commitments of
28 lead counsel and the need to obtain declarations from foreign witnesses. The Court is not

1 convinced that Defendants will be prejudiced by the short extension of time.

2 Therefore, Jakob Gerhardt's motion to continue is hereby **GRANTED**, and the new
3 hearing date on Defendants' motion to require Jakob Gerhardt to post security is **November 21,**
4 **2007 at 11:00 a.m.** Unless otherwise directed by the Court, there shall be no oral argument,
5 and no personal appearances are necessary.

6 **IT IS SO ORDERED.**

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8 Dated: September 18, 2007


Hon. Barry Ted Moskowitz
United States District Judge